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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AUDLEY BARRINGTON LYON, JR., et. al.,
Plaintiffs.

V

UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT, et. al.

Defendants.

Case No. 13-cv-05878 EMC

**STIPULATED ADMINISTRATIVE
MOTION REGARDING SCHEDULE
FOR FILING MOTION FOR FINAL
APPROVAL OF SETTLEMENT
AGREEMENT; [PROPOSED] ORDER**

CLASS ACTION

STIPULATION

Pursuant to Local Rule 7-11 and 7-12, the parties submit this Stipulated Administrative Motion and [Proposed] Order concerning the schedule for filing Plaintiffs' Motion for Final Approval of Settlement Agreement.¹

After the parties agreed upon and signed the Settlement Agreement, Plaintiffs filed an unopposed Motion for Preliminary Approval of the Settlement Agreement on June 13, 2016. *See ECF No. 262.* The Court granted the unopposed Motion and scheduled the fairness, adequacy and reasonableness hearing of the agreement (“Fairness Hearing”) for September 29, 2016. *See ECF No. 267.*

Pursuant to the Court's order, a Class Member may object to final approval of the Agreement by submitting his or her objection to the Court no later than twenty-one (21) days prior to the Fairness Hearing (September 8, 2016). *See* ECF No. 267. However, under Local Rule 7-2, motions are generally filed 35 days prior to the hearing, which would result in a deadline of August 25, 2016 for Plaintiffs to file their Motion for Final Approval of Settlement Agreement. That means that Plaintiffs would have to file their motion before the time for objections to be filed with the Court expires.

To ensure that Plaintiffs have a timely opportunity to address all Class Member objections in their brief, the parties request that the Court grant an extension of the time for filing Plaintiffs' Motion for Final Approval of Settlement Agreement to September 15, 2016.

As with the Motion for Preliminary Approval of Settlement Agreement, the parties contemplate that Plaintiffs' Motion for Final Approval of Settlement Agreement will be unopposed by Defendants and hence the sole brief filed in connection with that motion.

The parties' proposed filing date of September 15, 2016 is two weeks before the September 29, 2016 hearing date. The parties' proposed schedule would therefore ensure that the motion is fully briefed in the same amount of time as contemplated by the Court's standard notice

¹ This is only a motion to change the deadline for filing the motion. The parties are not seeking a change to the September 29, 2016 hearing date.

1 schedule for motions, in which the last brief on an opposed motion is ordinarily filed two weeks
2 before the hearing date. *See* Local Rule 7-3.

3 In short, the parties' proposed September 15, 2016 filing date would allow Plaintiffs the
4 opportunity to respond to all potential objections and would not shorten the amount of time
5 between the completion of briefing and the hearing.

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Dated: August 22, 2016

AMERICAN CIVIL LIBERTIES UNION
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CALIFORNIA

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By: /s/ Angélica Salceda

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Dated: August 22, 2016

AMERICAN CIVIL LIBERTIES UNION
NATIONAL PRISON PROJECT

By: /s/ Carl Takei

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Attorneys for Plaintiffs

1 Dated: August 22, 2016

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21 **[PROPOSED] ORDER**

22 Pursuant to stipulation and for good cause shown, Plaintiffs' Motion for Final Approval of
23 Settlement Agreement shall be filed no later than September 15, 2016.

24 Dated: 8/22/2016



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Hon. Edward M. Chen
United States District Court Judge

CERTIFICATE OF SERVICE
No: 3:13-cv-05878 EMC

I hereby certify that on August 22, 2016, a true and correct copy of the foregoing Stipulated Administrative Motion Regarding Schedule for Filing Motion for Final Approval of Settlement Agreement was served with the Clerk of the Court by using the CM/ECF system, which provided an electronic notice and electronic link of the same to all attorneys of record through the Court's CM'ECF system.

Dated: August 22, 2016

By: /s/ Angélica Salceda
Angélica Salceda (SBN 296152)